

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FRANCIS X. DOUGHERTY,

Plaintiff,

v.

**SCHOOL DISTRICT OF PHILADELPHIA et
al,**

Defendants.

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CIVIL ACTION

NO. 12-1001

ORDER

AND NOW, this ____ day of December, 2012, upon consideration of Defendants' Motion to Dismiss Plaintiff's Complaint (Doc. 14); Plaintiff's Response in Opposition thereto (Doc. 17); Defendants' Reply (Doc. 23); and Plaintiff's Sur-Reply (Doc. 25), **IT IS HEREBY ORDERED AND DECREED** that Defendants' Motion to Dismiss is **GRANTED IN PART AND DENIED IN PART**.¹

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.

¹ This Order accompanies the Court's Memorandum Opinion dated December ____, 2012.